

Senate Bill No. 740

Passed the Senate August 23, 2006

Secretary of the Senate

Passed the Assembly August 21, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 8314.5 to the Government Code, relating to public agencies.

LEGISLATIVE COUNSEL'S DIGEST

SB 740, Romero. Public agencies.

Existing law makes it unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to use or permit others to use public resources for a campaign activity, or personal or other purposes that are not authorized by law.

This bill would, notwithstanding any other provision of law, make it unlawful, except as specified under these provisions, for a state or local officer, including a state or local appointee, employee, or consultant, to use public resources for the creation of a video news release that advocates a position in a rulemaking proceeding in which the officer is exercising quasi-legislative authority to implement policies he or she will directly or indirectly implement through regulation adopted in the rulemaking procedures.

The people of the State of California do enact as follows:

SECTION 1. Section 8314.5 is added to the Government Code, to read:

8314.5. Notwithstanding any other provision of law, it shall be unlawful under Section 8314 for a state or local officer, including a state or local appointee, employee, or consultant, to use public resources for the creation of a video news release that advocates a position in a rulemaking proceeding in which that officer is exercising quasi-legislative authority to implement policies he or she will, directly or indirectly, implement through regulations adopted in that rulemaking proceeding. This section does not prohibit the use of public resources for video news releases if they are produced in conformity with subdivision (d) of Section 8314.

Approved _____, 2006

Governor